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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA
9

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12
13 vs.
14 ALBERT BENJAMIN CHEE JR. ,
15 Defendant.

Case No.: 2:14-CR-033-KJD-CWH

STIPULATION TO CONTINUE
TRIAL DATES
(Seventh Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
17 States Attorney, and Lisa Cartier-Giroux, Assistant United States Attorney, counsel for the United
18 States of America, and Rene L. Valladares, Federal Public Defender, and BRENDA WEKSLER,
19 Assistant Federal Public Defender, counsel for ALBERT BENJAMIN CHEE JR., that the calendar
20 call currently scheduled for Tuesday, June 9, 2015 at 9:00 a.m., and the trial currently scheduled for
21 Monday, June 15, 2015, 2014 at 9:00 a.m., be vacated and set to a date and time convenient to this
22 court but no sooner than ninety (90) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. The client is in custody but does not oppose the continuance.
25 2. Undersigned counsel for the defense has newly received discovery and will need
26 additional time to review and investigate the information presented.
27 3. The additional time requested herein is not sought for purposes of delay, but merely
28 to allow the parties to complete necessary trial preparation.

1 4. Denial of this request for continuance would deny counsel for the defendant sufficient
2 time to effectively and thoroughly prepare, taking into account the exercise of due diligence.

3 5. Additionally, denial of this request for continuance could result in a miscarriage of
4 justice. The additional time requested by this Stipulation is excludable in computing the time within
5 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
6 Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)
7 and 3161(h)(7)(B)(iv).

8 6. This is the seventh stipulation to continue trial dates filed herein.

9 DATED June 5, 2015

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11 RENE L. VALLADARES
12 Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

13 By: /s/ Brenda Weksler
14 BREND A WEKSLER,
 Assistant Federal Public Defender

By: /s/ Lisa Cartier-Giroux
LISA CARTIER-GIROUX,
Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,
Plaintiff,
vs.
ALBERT BENJAMIN CHEE JR. ,
Defendant.

Case No.: **2:14-CR-033-KJD-CWH**

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The client is in custody but does not oppose the continuance.
2. Undersigned counsel for the defense has newly received discovery and will need additional time to review and investigate the information presented.
3. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties to complete necessary trial preparation.
4. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly prepare, taking into account the exercise of due diligence.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
6. This is the seventh stipulation to continue trial dates filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion and trial dates.

1 CONCLUSIONS OF LAW

2 The ends of justice served by granting said continuance outweigh the best interest of the
3 public and the defendant in a speedy trial, since the failure to grant said continuance would be likely
4 to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity
5 within which to be able to effectively and thoroughly prepare for trial, taking into account the
6 exercise of due diligence.

7 The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United
8 States Code, §§ 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, § 3161 (h)(7)(A),
9 when considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B) and
10 3161(h)(7)(B)(iv).

11 ORDER

12 IT IS THEREFORE ORDERED that the calendar call currently scheduled for
13 Tuesday, June 9, 2015 at 9:00 a.m., be vacated and continued to September 22, 2015 at the
14 hour of 9:00 am, and the trial currently scheduled for Monday, June 15, 2015, 2014 at 9:00 a.m.,
15 be vacated and continued to September 28, 2015 at the hour of 9:00 am.

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17 DATED 9th day of June, 2015.

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20 UNITED STATES DISTRICT JUDGE
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